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Attorneys for Defendant,
ALLSTATE INSURANCE COMPANY

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ASHLEY HERNANDEZ, an individual;
DOMINIC L. WYCKOFF, an individual,

Plaintiffs,

vs.

ALLSTATE INSURANCE COMPANY,
a Foreign Corporation; DOES 1 through
10, inclusive; and ROE
CORPORATIONS 1 through 10,
inclusive,

Defendants.

Case No. 2:23-cv-00405-JAD-BNW

**STIPULATION AND ORDER TO
AMEND COMPLAINT AND
WITHDRAW ALLSTATE
INSURANCE COMPANY'S
MOTION TO DISMISS**

Plaintiffs ASHLEY HERNANDEZ and DOMINIC L. WYCKOFF by and
through their attorney of record, Ralph A. Schwartz, Esq. of Ralph A. Schwartz. P.C.
and Defendant ALLSTATE INSURANCE COMPANY by and through its attorneys
of record, Jared G. Christensen, Esq., and Deleela M. Weinerman, Esq. of the law firm
Bremer, Whyte, Brown & O'Meara, LLP, hereby stipulate as follows:

IT IS HEREBY STIPULATED AND AGREED that Plaintiffs shall file a
Third Amended Complaint attached hereto as Exhibit 1.

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1 **IT IS HEREBY FURTHER STIPULATED AND AGREED** Defendant
2 ALLSTATE INSURANCE COMPANY's Motion to Dismiss is hereby withdrawn.

3 DATED this 4th day of April 2023
4 2023

DATED this 4th day of April

5 **BREMER WHYTE BROWN &
6 O'MEARA LLP**

RALPH A. SCHWARTZ, P.C.

7 /s/ Deleela M. Weinerman

/s/ Ralph A. Schwartz

8 Jared G. Christensen, Esq.
9 Nevada State Bar No. 11538
10 Deleela M. Weinerman, Esq.
11 Nevada State Bar No. 13985
12 *Attorneys for Defendant,
Allstate Insurance Company*

Ralph A. Schwartz, Esq.
Nevada State Bar No. 5488
*Attorney for Plaintiffs,
Ashley Hernandez and
Dominic L. Wyckoff*

ORDER

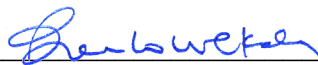
13 Based upon the foregoing Stipulation, and good cause so appearing:

14 **IT IS ORDERED, ADJUDGED AND DEGREED** that, Plaintiffs be granted
15 leave to file their Third Amended Complaint attached hereto as Exhibit 1.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DEGREED** that
17 Defendant ALLSTATE INSURANCE COMPANY'S Motion to Dismiss is hereby
18 withdrawn.

19 **IT IS SO ORDERED.**

20 DATED: April 5, 2023.



United States Magistrate Judge